

**1926. Adulteration and misbranding of butter. U. S. v. 13 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 4980. Sample Nos. 22618-E, 22627-E.)**

On May 12, 1941, the United States attorney for the Northern District of California filed a libel against 13 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 1, 1941, by Farmers Equity Co-Op. Creamery Association from Denver, Colo.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter 68 Lbs. Net."

The article was alleged to be adulterated in that a product containing less than 80 percent of milk fat had been substituted for butter. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent by weight of milk fat.

On May 23, 1941, Wilsey Bennett Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be made to conform with the law under the supervision of the Food and Drug Administration.

**1927. Adulteration and misbranding of butter. U. S. v. 12 Tubs, 24 Tubs, and 26 Tubs of Butter. Consent decrees of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 5004, 5054, 5128. Sample Nos. 56616-E, 56620-E, 56915-E.)**

On June 17, 19, and 28, 1941, the United States attorney for the Southern District of New York filed libels against 62 tubs, each containing approximately 63 pounds, of butter at New York, N. Y., alleging that the article had been shipped by Farmers Mutual Cooperative Creamery, one lot on or about June 1, 1941, from Duluth, Minn., and the remainder on or about June 4 and 9, 1941, from Sioux Center, Iowa; and charging that it was adulterated and that a portion was also misbranded. It was labeled in part: "Butter S&W. Waldbaum, Inc. Distributors \* \* \* New York, N. Y."; "Butter Distributed By W. W. Elzea, Inc. \* \* \* New York"; and "Carl Ahlers Inc. Butter Distributors New York."

All lots of the article were alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding was alleged with respect to the lots shipped on June 1 and 4, 1941, in that the article was labeled "Butter," which was false and misleading since it contained less than 80 percent milk fat.

On June 28 and July 1 and 21, 1941, Farmers Mutual Cooperative Creamery, claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be reworked so that it meet the requirements of the law.

**1928. Adulteration and misbranding of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 5003. Sample No. 56614-E.)**

On June 16, 1941, the United States attorney for the Southern District of New York filed a libel against 14 tubs, each containing approximately 64 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about May 30, 1941, by Finley Creamery Co., Finley, N. Dak., from Pekin, N. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Creamery Butter Distributed By J. R. Kramer, Inc. \* \* \* New York."

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent milk fat.

On June 27, 1941, Finley Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked so as to meet the requirements of the law.

**1929. Adulteration and misbranding of butter. U. S. v. 16 Tubs of Butter. Decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4987. Sample No. 51350-E.)**

On May 24, 1941, the United States attorney for the District of Massachusetts filed a libel against 16 tubs, each containing 63 pounds, of butter at Somerville, Mass., alleging that the article had been shipped in interstate commerce on or

about May 14, 1941, by Glenwood Sanitary Dairy from Glenwood, Minn.; and charging that it was adulterated and misbranded. It was labeled in part: "First National Stores Somerville Mass."

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On June 3, 1941, Pipestone Produce Co., Somerville, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked under the supervision of the Food and Drug Administration so that it contain at least 80 percent of milk fat.

**1930. Adulteration of butter. U. S. v. 65 Tubs of Butter. Decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 4989. Sample No. 54115-E.)

On June 12, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 65 tubs, each containing 64 pounds, of butter at Philadelphia, Pa., alleging that the article had been shipped on or about June 5, 1941, by Hanover Creamery Association from Duluth, Minn.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On June 20, 1941, Frank Hellerick & Co., Inc., Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reconditioned under the supervision of the Food and Drug Administration, and that it not be sold or otherwise disposed of in violation of the law.

**1931. Adulteration of butter. U. S. v. 143 Tubs of Butter. Decree of condemnation. Product ordered released under bond.** (F. D. C. No. 2577. Sample No. 19003-E.)

On July 16, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 143 tubs of butter at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about June 18 and 25, 1940, by the Keyser Ridge Creamery Co. from Grantsville, Md.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain 80 percent of milk fat as provided by law.

On September 12, 1940, John Glaser of Pittsburgh, Pa., having appeared as claimant, judgment was entered nunc pro tunc as of July 23, 1940, ordering the product condemned and providing that it might be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

**1932. Adulteration of butter. U. S. v. 19 Cartons and 19 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 5002. Sample No. 56613-E.)

On June 16, 1941, the United States attorney for the Southern District of New York filed a libel against 19 cartons, each containing approximately 60 pounds, and 19 tubs, each containing approximately 64 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about June 1, 1941, by Langdon Creamery, Langdon, N. Dak., from Carlton, Minn.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Distributors Zenith Godley Co. N. Y."

On June 27, 1941, Langdon Creamery, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked so that it meet the requirements of the law.

**1933. Adulteration and misbranding of butter. U. S. v. 9 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 2200. Sample Nos. 33249-E, 33253-E.)

On May 29, 1940, the United States attorney for the District of New Jersey filed a libel against 9 cartons of butter at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about May 14, 1940, by the Maple Island Farms of Stillwater, Wis., from Emerald, Wis.; and charging that it was adulterated and misbranded. The article was labeled in part: "June Dairy Products Co., Inc. Distributors \* \* \* Butter."